

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

6:21-14223 Ronald James Martin and Brenda Camille Martin

Chapter 7

#1.00

Pro se Reaffirmation Agreement with Preferred Credit Inc., in the amount of \$2034.27, re: Rainbow line of credit

Docket 15

Tentative Ruling:

Tentative for 11/2/21:

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

Participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1602454658>

Meeting ID: 160 245 4658

Password: 465939

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the following audio conference information:

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 245 4658

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

CONT... Ronald James Martin and Brenda Camille Martin
Password: 465939

Chapter 7

For further details, please consult the instructions on the Court's website
<https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

Please note that default matters may be called prior to the videoconference,
so there may be a slight delay to the official start time of the videoconference
hearing.

As noted in the Court's Zoom Video Hearing Guide, located at
<https://www.cacb.uscourts.gov/node/7890>, all persons are strictly prohibited
from making any recording of court proceedings, whether by video, audio,
"screenshot," or otherwise. Violation of this prohibition may result in the
imposition of monetary and non-monetary sanctions.

Party Information

Debtor(s):

Ronald James Martin	Pro Se
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Joint Debtor(s):

Brenda Camille Martin	Pro Se
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Movant(s):

Preferred Credit Inc	Pro Se
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Trustee(s):

Charles W Daff (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

6:20-10948 Melissa Lynn Lambert

Chapter 7

#2.00

Hrg. on Trustee's Final Report and Application for Compensation

EH_____

Docket 38

Tentative Ruling:

Tentative for 11/2/21 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

The courtroom will be locked; parties wishing to make an appearance must do so by Zoom for Government, a free service that provides audioconference capabilities, using the following information.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 245 4658

Password: 465939

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Melissa Lynn Lambert

Represented By
Neil R Hedtke

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

CONT... Melissa Lynn Lambert

Chapter 7

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

6:21-14372 Makayla L. Pierce

Chapter 7

#3.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc vs. DEBTOR, Howard B. Grobstein, trustee
(Motion filed 9/28/21)

Re: 2019 Honda Civic

EH _____

Docket 10

Tentative Ruling:

Tentative for 11/2/21:

Grant pursuant to §§ 362(d)(1) and (d)(2) with 4001(a) waiver and annulment as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

The courtroom will be locked; parties wishing to make an appearance must do so by Zoom for Government, a free service that provides audioconference capabilities, using the following information.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 245 4658

Password: 465939

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

CONT... Makayla L. Pierce

Chapter 7

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Makayla L. Pierce

Represented By
Michael Smith

Movant(s):

Santander Consumer USA Inc.

Represented By
Sheryl K Ith

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

6:21-11617 Arnel Taino Abanilla and Florida Dela Cruz Gonzalez

Chapter 7

#4.00

Hrg. on Trustee's Final Report and Application for Compensation

EH_____

Docket 23

Tentative Ruling:

Tentative for 11/2/21 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

The courtroom will be locked; parties wishing to make an appearance must do so by Zoom for Government, a free service that provides audioconference capabilities, using the following information.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 245 4658

Password: 465939

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Arnel Taino Abanilla

Represented By

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

CONT... Arnel Taino Abanilla and Florida Dela Cruz Gonzalez
Judy P Hsu

Chapter 7

Joint Debtor(s):

Florida Dela Cruz Gonzalez

Represented By
Judy P Hsu

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

6:21-13479 Oscar Saul Perez and Maria De Los Angeles Perez

Chapter 7

#5.00

Bonial & Associates - movant attorney

CONT. Motion for Relief from Stay

From: 9/28/21

Toyota Motor Credit Corporation vs. DEBTOR

(Motion filed 8/23/21)

(Cont. from 9/28/21)

Re: 2020 Toyota Camry

EH_____

Docket 13

Tentative Ruling:

Tentative for 11/2/21:

Grant pursuant to §§ 362(d)(1) and (d)(2) with 4001(a) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

The courtroom will be locked; parties wishing to make an appearance must do so by Zoom for Government, a free service that provides audioconference capabilities, using the following information.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 245 4658

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

CONT... Oscar Saul Perez and Maria De Los Angeles Perez

Chapter 7

 Password: 465939

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing.

Movant to lodge an order within seven (7) days.

Tentative for 9/28/21:

This matter is CONTINUED to November 2, 2021, at 10:00 a.m., to allow Movant to effectuate proper service of the Notice of Motion in accordance with the below.

Notice of Motion filed 8/23/21 [Dk. 13] improperly lists Courtroom 5C, despite the fact that Courtroom 5C is not a Riverside Courtroom. The Court previously sent a notice to filer of the error on 8/23/21 [Dk. 14] along with express instructions to file an amended notice with the correct Riverside Courtroom information (i.e., Courtroom 126). The docket reflects no such amended notice.

Movant must file and serve an amended notice by no later than October 13, 2021, which corrects the foregoing error in accordance with the LBRs and other applicable rules.

Appearances for the 9/28 hearing are excused.

Party Information

Debtor(s):

Oscar Saul Perez

Represented By
Percy Duran

Joint Debtor(s):

Maria De Los Angeles Perez

Represented By
Percy Duran

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

CONT... Oscar Saul Perez and Maria De Los Angeles Perez

Chapter 7

Movant(s):

Toyota Motor Credit Corporation

Represented By
Austin P Nagel

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

6:21-11943 Ramon Llamas

Chapter 7

#6.00

Bonial & Association, P.C. - movant attorney

Motion for Relief from Stay

Toyota Motor Credit Corporation vs. DEBTOR
(Motion filed 9/24/21)

Re: 2019 Toyota Tacoma 2WD

EH____

Docket 32

Tentative Ruling:

Tentative for 11/2/21:

Grant pursuant to § 362(d)(1) with 4001(a) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

The courtroom will be locked; parties wishing to make an appearance must do so by Zoom for Government, a free service that provides audioconference capabilities, using the following information.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 245 4658

Password: 465939

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

10:00 AM

CONT... Ramon Llamas

Chapter 7

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

Ramon Llamas

Represented By
Julie J Villalobos

Movant(s):

Toyota Motor Credit Corporation

Represented By
Kirsten Martinez

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

6:18-11937 Lisa Duarte

Chapter 7

Adv#: 6:20-01025 Rose v. Duarte

#7.00

CONT STATUS CONFERENCE re: Complaint by Stacey Rose against Lisa Duarte - §523(a)(2)(A), §523(a)(4), §523(a)(6)

EH_____

From: 9/23/20, 11/17/20, 1/19/21, 4/27/21, 7/27/21

Docket 1

Tentative Ruling:

Tentative for 11/2/21:

This matter is CONTINUED to January 11, 2022, at 11:00 a.m. A joint status report is due 14 days in advance. Additionally, Plaintiff is required to file a copy of any relevant arbitration decision(s) and advise the Court regarding how Plaintiff intends to proceed in this adversary, and upon what basis.

Appearances for the 11/2 hearing are excused.

Tentative for 7/27/21:

This matter is CONTINUED to November 2, 2021, at 11:00 a.m. A status report which details the status of the pending arbitration efforts is due no later than 14 days prior to the continued hearing.

The Court notes that a joint status report was not timely filed before the deadline of 14 days prior to the 7/27 hearing, as required by this Court's directive and the requirements of LBR 7016-1(a). The Court will excuse the non-compliance in this instance, but future violations of this Court's orders and applicable rules may result in monetary or non-monetary sanctions, including dismissal of the action.

**United States Bankruptcy Court
Central District of California
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Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

CONT... Lisa Duarte

Chapter 7

Appearances for the 7/27 hearing are excused.

Tentative for 4/27/21:

This matter is CONTINUED to July 27, 2021, at 11:00 a.m. A status report which details the status of the pending arbitration efforts is due no later than 14 days prior to the continued hearing.

Appearances for the 4/27 hearing are excused.

Tentative for 1/19/21:

This matter is CONTINUED to April 27, 2021, at 1:30 p.m. A status report which details the status of the pending arbitration efforts is due no later than 14 days prior to the continued hearing.

Appearances for the 1/19 hearing are excused.

Tentative for 11/17/20 is to CONTINUE to January 19, 2021, at 1:30 p.m. A status report which details the status of the pending arbitration efforts is due no later than 14 days prior to the continued hearing.

Appearances for the 11/17 hearing are excused.

Tentative for 9/23/20 is to CONTINUE to November 17, 2020, at 1:30 p.m. A status report which details the status of the pending arbitration efforts is due no later than 14 days prior to the continued hearing.

Appearances for the 9/23 hearing are excused.

Tentative for 5/27/20 is to DISMISS for failure to prosecute and failure to comply with applicable rules and instructions.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

CONT... Lisa Duarte

Chapter 7

This adversary was filed on March 11, 2020. The Court notes that, as of the posting of this tentative, the docket does not reflect any activity beyond the original filing. Thus, in addition to failing to serve the case initiating documents, Plaintiff has failed to adhere to the requirements of LBR 7016-1, as well as this Court's Early Meeting of Counsel and Status Conference Instructions, issued March 11, 2020 [Dk. 2].

Telephonic appearances are required. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom. There is no need to contact the Court for permission. Simply contact CourtCall at (866) 582-6878.

The Parties are reminded to have all relevant filings/information easily accessible during the hearing.

Party Information

Debtor(s):

Lisa Duarte	Pro Se
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Defendant(s):

Lisa Duarte	Pro Se
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Plaintiff(s):

Stacey Rose	Represented By Michael D Anderson Andrei Serpik
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Trustee(s):

Karl T Anderson (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

6:19-18812 Jesus Alcantara

Chapter 7

Adv#: 6:21-01060 Simons, Chapter 7 Trustee v. Camarena

#8.00

STATUS CONFERENCE re: Complaint by Larry D. Simons, Chapter 7 Trustee against Jose Camarena for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. §§ 544, 548(a)(1)(A); Cal. Civ. Code §§ 3439.04, 3439.07, 3439.09]; (2) Avoidance of Fraudulent Transfers [11 U.S.C. §§ 544, 548(a)(1)(B); Cal. Civ. Code §§ 3439.05, 3439.07, 3439.09]; and (3) Recovery of Avoided Transfers [11 U.S.C. § 550]

From: 7/27/21

EH_____

Docket 1

Tentative Ruling:

Tentative for 11/2/21:

This matter is CONTINUED to January 11, 2022, at 11:00 a.m., in light of the representations contained in the status report filed 10/18/21 [Dk. 8] regarding settlement being reached. If this matter is not otherwise taken off calendar, a status report is due 14 days prior to the continued status conference.

A compromise motion must be filed not later than December 14, 2021.

Appearances for the 11/2 hearing are excused.

Tentative for 7/27/21:

This matter is CONTINUED to November 2, 2021, at 11:00 a.m. in light of the representations contained in the status report filed 7/13/21 [Dk. 6] regarding settlement being reached. If this matter is not otherwise taken off calendar, a status report is due 14 days prior to the continued status conference.

Appearances for the 7/27 hearing are excused.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

CONT... Jesus Alcantara

Chapter 7

Party Information

Debtor(s):

Jesus Alcantara

Pro Se

Defendant(s):

Jose Camarena

Pro Se

Plaintiff(s):

Larry D. Simons, Chapter 7 Trustee

Represented By
Jeremy Faith

Trustee(s):

Larry D Simons (TR)

Represented By
Meghann A Triplett

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

6:21-11329 Michael Paul Newman

Chapter 7

Adv#: 6:21-01071 Lee v. Newman

#9.00

CONT STATUS CONFERENCE RE: Complaint by Sang Hoon Lee against Sang Hoon Lee. fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)

From: 8/17/21

EH_____

Docket 1

Tentative Ruling:

Tentative for 11/2/21:

This matter is CONTINUED to February 15, 2022, at 11:00 a.m., pending the resolution of relevant appeals. A status report is due 14 days prior to the continued status conference.

Appearances for the 11/2 hearing are excused.

Party Information

Debtor(s):

Michael Paul Newman

Represented By
Todd L Turoci

Defendant(s):

Michael Paul Newman

Represented By
Donald W Reid

Plaintiff(s):

Chloe Taekyeong Lee

Represented By
Benjamin R Heston

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

CONT... Michael Paul Newman

Chapter 7

Trustee(s):

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

6:20-17978 Aurora Sanchez Hernandez

Chapter 7

Adv#: 6:21-01050 Whitmore v. Hernandez

#10.00

CONT. STATUS CONFERENCE re: Complaint by Robert Whitmore against Isidro Hernandez for (1) Avoidance of Intentional Fraudulent Transfer, (2) Avoidance of Constructive Fraudulent Transfer, (3) Recovery, (4) Preservation, and (5) Disallowance of Claim

From: 6/29/21, 8/31/21

EH_____

Docket 1

***** VACATED *** REASON: CONTINUED TO 2/15/22 BY ORDER
ENTERED 10/21/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Aurora Sanchez Hernandez

Represented By
Rhonda Walker

Defendant(s):

Isidro Hernandez

Pro Se

Plaintiff(s):

Robert Whitmore

Represented By
Donald W Reid

Trustee(s):

Robert Whitmore (TR)

Represented By
Donald W Reid

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

6:19-13381 Banner Mattress, Inc.

Chapter 7

Adv#: 6:21-01006 Bui v. Color Ad, Inc., a California Corporation

#11.00

CONT. STATUS CONFERENCE re: Complaint by Lynda T. Bui against Color Ad, Inc., a California Corporation For: 1) Avoidance of Preferential Transfers and Recovery of Same [11 U.S.C. §§ 547, 550] 2) Preservation of Avoided Transfers [11 U.S.C. § 551]; and Disallowance of Claims [11 U.S.C. § 502(d)]

From: 4/6/21,6/1/21, 9/14/21

EH__

Docket 1

***** VACATED *** REASON: CASE DISMISSED BY ORDER ENTERED
10/13/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Banner Mattress, Inc.

Represented By
Daniel J Weintraub
James R Selth
Crystle Jane Lindsey

Defendant(s):

Color Ad, Inc., a California

Pro Se

Plaintiff(s):

Lynda T. Bui

Represented By
Rika Kido

Trustee(s):

Lynda T. Bui (TR)

Represented By
James C Bastian Jr

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

CONT...

Banner Mattress, Inc.

Rika Kido

Chapter 7

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

6:20-17328 Steven Craig Lee

Chapter 7

Adv#: 6:21-01098 Schadeck et al v. Lee

#12.00

STATUS CONFERENCE re: Complaint by Sherry Schadeck , Kathleen Greco against Steven C Lee . (d),(e))) ,(62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud))

EH_____

Docket 1

***** VACATED *** REASON: CASE DISMISSED 9/30/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Steven Craig Lee

Represented By
Ethan Kiwhan Chin

Defendant(s):

Steven C Lee

Pro Se

Joint Debtor(s):

Jana Lynn Lee

Represented By
Ethan Kiwhan Chin

Plaintiff(s):

Kathleen Greco

Represented By
Lindsey Hansen

Sherry Schadeck

Represented By
Lindsey Hansen

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

6:21-13053 Leonardo Roque

Chapter 7

Adv#: 6:21-01099 CALIFORNIA COAST CREDIT UNION v. Roque

#13.00

STATUS CONFERENCE re: Complaint by CALIFORNIA COAST CREDIT UNION against Leonardo Roque. for false pretenses, false representation, actual fraud

EH_____

Docket 1

Tentative Ruling:

Tentative for 11/2/21:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: February 1, 2022. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: March 31, 2022. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: May 3, 2022, at 10:00 a.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

Plaintiff is to lodge a scheduling order within seven (7) days.

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

CONT... Leonardo Roque

Chapter 7

Participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1611568811>

Meeting ID: 161 156 8811

Password: 288119

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the following audio conference information:

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 161 156 8811

Password: 288119

For further details, please consult the instructions on the Court's website <https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

Please note that default matters may be called prior to the videoconference, so there may be a slight delay to the official start time of the videoconference hearing.

As noted in the Court's Zoom Video Hearing Guide, located at <https://www.cacb.uscourts.gov/node/7890>, all persons are strictly prohibited from making any recording of court proceedings, whether by video, audio, "screenshot," or otherwise. Violation of this prohibition may result in the imposition of monetary and non-monetary sanctions.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

CONT... Leonardo Roque

Chapter 7

Debtor(s):

Leonardo Roque

Represented By
Ivan Trahan

Defendant(s):

Leonardo Roque

Pro Se

Plaintiff(s):

CALIFORNIA COAST CREDIT

Represented By
Timothy J Silverman

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Scott Clarkson, Presiding
Courtroom 126 Calendar**

Tuesday, November 2, 2021

Hearing Room 126

11:00 AM

6:19-19296 John Paul Salvador

Chapter 7

Adv#: 6:20-01010 Salvador v. United States of America (United States)

#14.00

Hrg. on Defendant's Motion For Summary Judgment
(Motion filed 9/21/21)

EH_____

Docket 81

Tentative Ruling:

Tentative for 11/2/21 is to GRANT.

On September 21, 2021, Defendant, the United States of America (Movant), filed a motion for partial summary judgment seeking a declaratory judgment that Plaintiff, John Salvador's tax liabilities for 2003, 2004, 2006, and 2009 are non-dischargeable pursuant to 11 U.S.C. § 523. For the reasons more fully stated below, the Court is inclined to grant the motion.

To be entitled to the requested relief, the United States of America must establish there is "no genuine dispute as to any material fact and that Movant is entitled to judgment as a matter of law." Fed. R. Civ. P. § 56. Under 11 U.S.C. § 523, debts for a tax for which no return was filed are not discharged by 11 U.S.C. § 727. 11 U.S.C. § 523(a)(1)(B)(i).

The Ninth Circuit has succinctly stated that "[i]n order for a document to qualify as a [tax] return: (1) it must purport to be a return; (2) it must be executed under penalty of perjury; (3) it must contain sufficient data to allow calculation of tax; and (4) **it must represent an honest and reasonable attempt to satisfy the requirements of the tax law.**" *Smith v. United States IRS (In re Smith)*, 828 F.3d 1094, 1096 (9th Cir. 2016) (quoting *United States v. Hatton (In re Hatton)*, 220 F.3d 1057, 1060–61 (9th Cir. 2000)) (emphasis added).

The United States of America has established that Plaintiff, like the debtor in *Smith*, did not file a "return" within the meaning of 11 U.S.C. § 523(a)

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because the 1040 Forms were filed well after the IRS assessed deficiencies, and were therefore not an "honest and reasonable attempt to comply with the requirements of the tax law."

In *Smith*, which is binding Ninth Circuit authority highly analogous to the undisputed facts before this Court, the debtor was deemed to have not filed a return within the meaning of 11 U.S.C. § 523(a) because the purported return was filed seven years after the due date and three years after the IRS assessed a deficiency.

The United States of America assumes for the purposes of this motion that Plaintiff submitted 1040 Forms on May 27, 2015. Like *Smith*, Plaintiff did not submit 1040 Forms for the 2003, 2004, and 2006 tax returns until more than seven years after the due dates and almost five years after the IRS assessed those taxes. Additionally, Plaintiff did not submit 1040 Forms for the 2009 tax return until at least five years after the due date and approximately twenty months after the IRS's tax assessment of that year.

A taxpayer's "belated acceptance of responsibility does not qualify as an honest and reasonable attempt to comply with the tax code." *In re Fremont*, 748 Fed. App'x 137, 138 (9th Cir. 2019) (where the Court determined that debtor did not file a "return" within the meaning of 523 because debtor failed to provide the purported return until three to five years *after* the IRS assessed deficiencies).

Accordingly, the United States of America has met its burden to demonstrate that it is entitled to judgment as a matter of law as to the 2003, 2004, 2006, and 2009 tax years.

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

Participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

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Videoconference URL: <https://cacb.zoomgov.com/j/1611568811>

Meeting ID: 161 156 8811

Password: 288119

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the following audio conference information:

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 161 156 8811

Password: 288119

For further details, please consult the instructions on the Court's website <https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

Please note that default matters may be called prior to the videoconference, so there may be a slight delay to the official start time of the videoconference hearing.

As noted in the Court's Zoom Video Hearing Guide, located at <https://www.cacb.uscourts.gov/node/7890>, all persons are strictly prohibited from making any recording of court proceedings, whether by video, audio, "screenshot," or otherwise. Violation of this prohibition may result in the imposition of monetary and non-monetary sanctions.

Party Information

Debtor(s):

John Paul Salvador

Pro Se

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Defendant(s):

United States of America (United

Represented By
John D Ellis

Plaintiff(s):

John Paul Salvador

Pro Se

Trustee(s):

Todd A. Frealy (TR)

Pro Se

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11:00 AM

6:20-14050 Raul A Morales

Chapter 7

#14.10

Chapter 7 Trustee's Motion to Approve Compromise Under Rule 9019
(Motion filed 10/12/21)

EH_____

Docket 72

Tentative Ruling:

Tentative for 11/2/21 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Trustee will be so notified.

The courtroom will be locked; parties wishing to make an appearance must do so by Zoom for Government, a free service that provides audioconference capabilities, using the following information.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 161 156 8811

Password: 288119

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing.

Trustee to lodge an order within seven (7) days.

Party Information

Debtor(s):

Raul A Morales

Pro Se

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CONT... Raul A Morales

Chapter 7

Movant(s):

Charles W Daff (TR)

Represented By
D Edward Hays
Tinho Mang
Chad V Haes

Trustee(s):

Charles W Daff (TR)

Represented By
D Edward Hays
Tinho Mang
Chad V Haes

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11:00 AM

6:20-18168 Theresa Anita Stewart

Chapter 7

#14.20

CONT. Hrg. on Order to Show Cause why Lynda Bui and Thomas D. Sands should not be sanctioned

(As to Mr. Sands only)

EH_____

Docket 43

***** VACATED *** REASON: ORDER VACATING OSC ENTERED
10/21/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Theresa Anita Stewart

Represented By

Thomas D Sands - SUSPENDED BK -

Trustee(s):

Lynda T. Bui (TR)

Pro Se

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Hearing Room 126

1:30 PM

6:20-11955 Jakob Jeremy Fite

Chapter 7

Adv#: 6:20-01113 Sarno et al v. Fite et al

#15.00

CONT STATUS CONFERENCE re: Complaint by John Sarno, Leslee Sarno
against Jakob Jeremy Fite, Melissa Legaspi Fite - §523(a)(6)

From: 2/2/21

EH_____

Docket 1

Tentative Ruling:

Tentative for 11/2/21:

This matter is CONTINUED to July 12, 2022, at 10:00 a.m. A status report, detailing the status of the action pending in State Court, is due 14 days in advance.

Appearances for the 11/2 hearing are excused.

Tentative for 2/2/21:

This matter is CONTINUED to November 2, 2021, at 1:30 p.m. A status report, detailing the status of the action pending in State Court, is due 14 days in advance.

Appearances for the 2/2 hearing are excused.

Party Information

Debtor(s):

Jakob Jeremy Fite

Represented By
Glenn Park

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1:30 PM

CONT... Jakob Jeremy Fite

Chapter 7

Defendant(s):

Jakob Jeremy Fite Pro Se

Melissa Legaspi Fite Pro Se

Joint Debtor(s):

Melissa Legaspi Fite Represented By
Glenn Park

Plaintiff(s):

John Sarno Represented By
Chad A Vierra

Leslee Sarno Represented By
Chad A Vierra

Trustee(s):

Arturo Cisneros (TR) Pro Se